


# 9 FAM 42.63 Exhibit XIII

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## 42.63 EXHIBIT XIII

### OF-230 II – APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION

OMB APPROVAL NO. 1405-0015 EXPIRES: 8-31-92 * ESTIMATED BURDEN: 23 HOURS													
 <b>APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION</b>													
<b>PART II – SWORN STATEMENT</b>													
<p>INSTRUCTIONS: Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answer to all questions. Questions that are <b>Not Applicable</b> should be so marked. If there is insufficient room on the form, answer on a separate sheet using the same numbers as appear on the form. Attach the sheet to this form. <b>DO NOT SIGN</b> this form until instructed to do so by the consular officer. The fee for filing this application is listed under tariff item No. 20. The fee should be paid in United States dollars or local currency equivalent, or by bank draft, when you appear before the consular officer.</p> <p><b>WARNING: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States. Even though you should be admitted to the United States, a fraudulent entry could be grounds for your prosecution and/or deportation.</b></p> <p>This form (OF-230 Part II) is a continuation of Form OF-230 PART I, which together, constitute the complete Application for Immigrant Visa and Alien Registration.</p>													
24. FAMILY NAME	FIRST NAME MIDDLE NAME												
25. ADDRESS (Local)  Telephone No.	26. FINAL ADDRESS TO WHICH YOU WILL TRAVEL IN THE UNITED STATES (Street address including ZIP code)  Telephone No.												
27. PERSON YOU INTEND TO JOIN (Name, address, and relationship)	28. NAME AND ADDRESS OF SPONSORING PERSON OR EMPLOYER												
29. PURPOSE IN GOING TO THE UNITED STATES	30. LENGTH OF INTENDED STAY (If permanently, so state)												
31. INTENDED PORT OF ENTRY	32. DO YOU HAVE A TICKET TO FINAL DESTINATION? <input type="checkbox"/> Yes <input type="checkbox"/> No												
<p>33. United States laws governing the issuance of visas require each applicant to state whether or not he or she is a member of any class of individuals excluded from admission into the United States. The excludable classes are described below in general terms. You should read carefully the following list and answer YES or NO to each category. The answers you give will assist the consular officer to reach a decision on your eligibility to receive a visa.</p> <p style="text-align: center;"><b>EXCEPT AS OTHERWISE PROVIDED BY LAW, ALIENS WITHIN THE FOLLOWING CLASSIFICATIONS ARE INELIGIBLE TO RECEIVE A VISA.</b> <b>DO ANY OF THE FOLLOWING CLASSES APPLY TO YOU?</b></p> <table border="0"><tr><td>a. An alien who has a communicable disease of public health significance, or has or has had a physical or mental disorder that poses, or is likely to pose a threat to the safety or welfare of the alien or others; an alien who is a drug abuser or addict. [212(a)(1)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/></td></tr><tr><td>b. An alien convicted of, or who admits committing a crime involving moral turpitude, or violation of any law relating to a controlled substance; an alien convicted of 2 or more offenses for which the aggregate sentences were 5 years or more; an alien coming to the United States to engage in prostitution or commercialized vice, or who has engaged in prostitution or procuring within the past 10 years; an alien who is or has been an illicit trafficker in any controlled substance; an alien who has committed a serious criminal offense in the United States and who has asserted immunity from prosecution. [212(a)(2)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/></td></tr><tr><td>c. Alien who seeks to enter the United States to engage in espionage, sabotage, export control violations, overthrow of the Government of the United States, or other unlawful activity; an alien who seeks to enter the United States to engage in terrorist activities; an alien who has been a member of or affiliated with the Communist or any other totalitarian party; an alien who under the direction of the Nazi government of Germany, or any area occupied by, or allied with the Nazi Government of Germany, ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion; an alien who has engaged in genocide. [212(a)(3)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/></td></tr><tr><td>d. An alien who is likely to become a public charge. [212(a)(4)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/></td></tr><tr><td>e. An alien who seeks to enter for the purpose of performing skilled or unskilled labor who has not been certified by the Secretary of Labor; an alien graduate of a foreign medical school seeking to perform medical services who has not passed the NBME exam or its equivalent. [212(a)(5)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable <input type="checkbox"/></td></tr><tr><td>f. An alien previously deported within one year, or arrested and deported within 5 years; an alien who seeks or has sought a visa, entry into the United States, or any U.S. immigration benefit by fraud or misrepresentation; an alien who knowingly assisted any other alien to enter or try to enter the United States in violation of the law; an alien who is in violation of Section 274C of the Immigration Act. [212(a)(6)]</td><td>YES <input type="checkbox"/> NO <input type="checkbox"/></td></tr></table>		a. An alien who has a communicable disease of public health significance, or has or has had a physical or mental disorder that poses, or is likely to pose a threat to the safety or welfare of the alien or others; an alien who is a drug abuser or addict. [212(a)(1)]	YES <input type="checkbox"/> NO <input type="checkbox"/>	b. An alien convicted of, or who admits committing a crime involving moral turpitude, or violation of any law relating to a controlled substance; an alien convicted of 2 or more offenses for which the aggregate sentences were 5 years or more; an alien coming to the United States to engage in prostitution or commercialized vice, or who has engaged in prostitution or procuring within the past 10 years; an alien who is or has been an illicit trafficker in any controlled substance; an alien who has committed a serious criminal offense in the United States and who has asserted immunity from prosecution. [212(a)(2)]	YES <input type="checkbox"/> NO <input type="checkbox"/>	c. 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Previous editions obsolete	<p>*Public reporting burden for this collection of information is estimated to average 24 hours per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: Department of State (OIS/RA/DR) Washington, D.C. 20520-0264, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (1405-0015), Washington, D.C. 20503.</p>												
NSN 7540-00-149-0919 50230-106	OPTIONAL FORM 230 Part II (English) REVISED 4-91 DEPT. OF STATE												

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## OF-230 II – Application for Immigrant Visa and Alien Registration—Continued

<p>g. An alien who is permanently ineligible to U.S. citizenship; a person who has departed the United States to evade military service in time of war. [212(a)(8)]</p> <p>h. An alien who is coming to the United States to practice polygamy; an alien who is a guardian required to accompany an excluded alien; an alien who withholds custody of a child outside the United States from a United States citizen granted legal custody. [212(a)(9)]</p> <p>i. An alien who is a former exchange visitor who has not fulfilled the 2-year foreign residence requirement. [212(e)]</p> <p>If the answer to any of the foregoing questions is YES or If unsure, explain in the following space or on a separate sheet of paper.</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>						
<p>34. Have you ever been arrested, convicted or ever been in a prison or almshouse; have you ever been the beneficiary of a pardon or an amnesty; have you ever been treated in an institution or hospital or other place for insanity or other mental disease. [222(a)]</p> <p>35. I am unlikely to become a public charge because of the following:</p> <p><input type="checkbox"/> Personal financial resources (describe) <input type="checkbox"/> Employment (attach) <input type="checkbox"/> Affidavit of Support (attach)</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>						
<p>36. Have you ever applied for a visa to enter the United States? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(If answer is Yes, state where and when, whether you applied for a nonimmigrant or an immigrant visa, and whether the visa was issued or refused.)</p>							
<p>37. Have you been refused admission to the United States? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(If answer is Yes, explain)</p>							
<p>38. Were you assisted in completing this application? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(If answer is Yes, give name and address of person assisting you, indicating whether relative, friend, travel agent, attorney, or other)</p> <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 40%;">NAME</th><th style="width: 40%;">ADDRESS</th><th style="width: 20%;">RELATIONSHIP</th></tr></thead><tbody><tr><td colspan="3" style="height: 40px;"></td></tr></tbody></table>		NAME	ADDRESS	RELATIONSHIP			
NAME	ADDRESS	RELATIONSHIP					
<p>39. The following documents are submitted in support of this application:</p> <table style="width: 100%;"><tr><td style="width: 33%; vertical-align: top;"><input type="checkbox"/> Passport <input type="checkbox"/> Birth certificate <input type="checkbox"/> Marriage certificate <input type="checkbox"/> Death certificate <input type="checkbox"/> Divorce decree</td><td style="width: 33%; vertical-align: top;"><input type="checkbox"/> Military record <input type="checkbox"/> Police certificate <input type="checkbox"/> Medical records <input type="checkbox"/> Photographs <input type="checkbox"/> Birth certificates of all children who will not be immigrating at this time. (List those for whom birth certificates are not available.)</td><td style="width: 33%; vertical-align: top;"><input type="checkbox"/> Evidence of own assets <input type="checkbox"/> Affidavit of support <input type="checkbox"/> Offer of employment <input type="checkbox"/> Other (describe)</td></tr></table>		<input type="checkbox"/> Passport <input type="checkbox"/> Birth certificate <input type="checkbox"/> Marriage certificate <input type="checkbox"/> Death certificate <input type="checkbox"/> Divorce decree	<input type="checkbox"/> Military record <input type="checkbox"/> Police certificate <input type="checkbox"/> Medical records <input type="checkbox"/> Photographs <input type="checkbox"/> Birth certificates of all children who will not be immigrating at this time. (List those for whom birth certificates are not available.)	<input type="checkbox"/> Evidence of own assets <input type="checkbox"/> Affidavit of support <input type="checkbox"/> Offer of employment <input type="checkbox"/> Other (describe)			
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<p><b>DO NOT WRITE BELOW THE FOLLOWING LINE</b></p> <p><b>The consular officer will assist you in answering items 40 and 41.</b></p>							
<p>40. I claim to be exempt from ineligibility to receive a visa and exclusion under item _____ in Part 33 for the following reasons:</p> <table style="width: 100%;"><tr><td style="width: 33%; vertical-align: top;"><p>212(a)(5)</p><p><input type="checkbox"/> Not Applicable</p><p><input type="checkbox"/> Not Required</p><p><input type="checkbox"/> Attached</p></td><td style="width: 33%; vertical-align: top;"><p>Beneficiary of a Waiver under:</p><p><input type="checkbox"/> 212(a)(3)(D)(II)</p><p><input type="checkbox"/> 212(a)(3)(D)(III)</p><p><input type="checkbox"/> 212(a)(3)(D)(IV)</p></td><td style="width: 33%; vertical-align: top;"><p><input type="checkbox"/> 212(e)</p><p><input type="checkbox"/> 212(g)(1)</p><p><input type="checkbox"/> 212(g)(2)</p></td></tr><tr><td></td><td></td><td style="vertical-align: top;"><p><input type="checkbox"/> 212(h)</p><p><input type="checkbox"/> 212(i)</p></td></tr></table>		<p>212(a)(5)</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Not Required</p> <p><input type="checkbox"/> Attached</p>	<p>Beneficiary of a Waiver under:</p> <p><input type="checkbox"/> 212(a)(3)(D)(II)</p> <p><input type="checkbox"/> 212(a)(3)(D)(III)</p> <p><input type="checkbox"/> 212(a)(3)(D)(IV)</p>	<p><input type="checkbox"/> 212(e)</p> <p><input type="checkbox"/> 212(g)(1)</p> <p><input type="checkbox"/> 212(g)(2)</p>			<p><input type="checkbox"/> 212(h)</p> <p><input type="checkbox"/> 212(i)</p>
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<p>41. I claim to be:</p> <table style="width: 100%;"><tr><td style="width: 50%; vertical-align: top;"><p><input type="checkbox"/> A Family-Sponsored Immigrant</p><p><input type="checkbox"/> An Employment Based-Immigrant</p><p><input type="checkbox"/> A Diversity Immigrant</p><p><input type="checkbox"/> A Special Category (Specify) _____</p><p>(Returning resident, Hong Kong, Tibetan, Private Legislation, etc.)</p></td><td style="width: 50%; vertical-align: top;"><p><input type="checkbox"/> I derive foreign state chargeability under Sec. 202(b) through my _____</p><p>I am subject to the following:</p><p><input type="checkbox"/> Preference: _____</p><p><input type="checkbox"/> Numerical limitation: _____</p><p>(foreign state)</p></td></tr></table>		<p><input type="checkbox"/> A Family-Sponsored Immigrant</p> <p><input type="checkbox"/> An Employment Based-Immigrant</p> <p><input type="checkbox"/> A Diversity Immigrant</p> <p><input type="checkbox"/> A Special Category (Specify) _____</p> <p>(Returning resident, Hong Kong, Tibetan, Private Legislation, etc.)</p>	<p><input type="checkbox"/> I derive foreign state chargeability under Sec. 202(b) through my _____</p> <p>I am subject to the following:</p> <p><input type="checkbox"/> Preference: _____</p> <p><input type="checkbox"/> Numerical limitation: _____</p> <p>(foreign state)</p>				
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<p>I understand that I am required to surrender my visa to the United States Immigration Officer at the place where I apply to enter the United States, and that the possession of a visa does not entitle me to enter the United States if at that time I am found to be inadmissible under the Immigration laws.</p> <p>I understand that any willfully false or misleading statement or willful concealment of a material fact made by me herein may subject me to permanent exclusion from the United States and, if I am admitted to the United States, may subject me to criminal prosecution and/or deportation.</p> <p>I, the undersigned applicant for a United States Immigrant visa, do solemnly swear (or affirm) that all statements which appear in this application, consisting of Optional Forms 230 PART I and 230 PART II combined, have been made by me, including the answers to items 1 through 41 inclusive, and that they are true and complete to the best of my knowledge and belief. I do further swear (or affirm) that, if admitted into the United States, I will not engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States; in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activities subversive to the national security; in any activity a purpose of which is the opposition to or the control, or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means.</p> <p>I understand all the foregoing statements, having asked for and obtained an explanation on every point which was not clear to me.</p> <p>The relationship claimed in items 14 and 15 verified by documentation submitted to consular officer except as noted:</p> <p>Subscribed and sworn to before me this _____ day of _____, 19____ at: _____</p> <p style="text-align: right;">_____ (Signature of Applicant)</p> <p style="text-align: right;">_____ (Consular Officer)</p>							
<p>TARIFF ITEM NO. 20.</p>							

